

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

June 25, 2008

The meeting was called to order at 4:01 p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Jack Matheson, Terri Mills, Phil Conder,
and Jason Jones

ABSENT:

Mary Jayne Davis and Dale Clayton

WEST VALLEY CITY PLANNING DIVISION STAFF

John Janson, Steve Pastorik, Jody Knapp, Steve Lehman, Hannah Thiel,
and Nichole Camac

WEST VALLEY ADMINISTRATIVE STAFF:

AUDIENCE

Approximately twenty (20) people were in the audience

GENERAL PLAN CHANGE APPLICATION

GP-4-2008

West Valley City

General Plan change to update the Moderate Income Housing Plan

City staff is requesting an amendment to the General Plan to update the Moderate Income Housing Plan. The Moderate Income Housing Plan is a plan that identifies the need for moderate income housing and outlines how the City will meet that need. This Plan is required by State law.

Moderate income housing is currently defined in Utah Code 10-9a-103(21) as “housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.”

The City’s first Moderate Income Housing Plan was adopted in 1999. An update was made in 2005.

The primary findings from the proposed Plan update are that West Valley City has sufficient housing for households earning between 80 and 50% of the Salt Lake County median household income. The City is only deficient in housing for households earning 30% or less of the median income. Hence, the actions in the Plan focus on housing for this segment of the population.

Staff Alternatives:

1. Approval, of the Moderate Income Housing Plan.
2. Continuance, for reasons determined at the public hearing.

Applicant:

West Valley City

Neutral:

Scott Warr
3154 S. 3600 W.

Discussion: Steve Pastorik presented the application. Scott Warr stated that he is concerned that West Valley carries a high burden of low income population. He explained that he doesn’t want the City to be the “dumping ground” for the rest of the county and hopes that the Planning Commission has taken everything into consideration. Phil Conder requested that Steve clarify the conclusions of this plan. Steve explained that this must be addressed under State law. An update is required every 2 years and the last update West Valley City did was in 2005. Steve discussed the statistics for each percentile for the median income in Salt Lake County at 80% or below, 50% or below, and 30% or below. Steve concluded that West Valley City already meets the needs in the 50 and 80 percentile. He stated that the City is below the need for the 30% or below range. Jason Jones

questioned who came up with 30-50-80 standards and Steve replied that it is a HUD idea.

Phil Conder questioned if this update could be interpreted as West Valley City facilitating new housing at low income. Steve replied that the City doesn't construct housing. Jack Matheson stated that these numbers are based on a 2005 census. Steve responded that the home prices were adjusted to more closely reflect the current market. He added that a small census sample of each City is provided every year that can help provide these numbers. Brent Fuller stated that he would be more comfortable using another word other than "initiate". Harold Woodruff stated that someone that is in the 80% or below range would be making around \$43,000 a year which is more than what the average school teacher or police office makes. Steve explained that there are several ways to determine if a City is meeting its reasonable requirements, not simply by utilizing the HUD method. John Janson added that the City is required to provide other HUD plans and this is consistent with those plans. Commissioner Jones stated that he is highly concerned with a project in West Valley City that qualifies in the extremely low income bracket and explained people have a lack of understanding and empathy when it effects their surrounding areas. He added that in some ways encouraging proper housing for low income families is counterproductive against the goal of cleaning up the City. Commissioner Jones concluded that West Valley City is already meeting the appropriate guidelines and the language in the plan should be corrected to ensure that the City isn't trying to attract low income projects. Harold Woodruff replied that if West Valley does its part in taking care of some of the low income families there wouldn't be 4 families living in one house as other people often complain about. He added that providing housing for low income families will not hurt the City by giving these individuals a place to live and function. Commissioner Jones replied that he doesn't oppose low income housing he'd just like to see the same results in other cities so that West Valley doesn't have to carry all the burden. Chairman Woodruff concluded that as the price of living goes up, more and more people will slip down this median income chart and will need more assistance. He added that he hopes other cities in the county will step up and meet their requirements as well.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Mills moved for approval

Commissioner Matheson seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes

Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous - GP-4-2008– Approved

ZONE TEXT CHANGE APPLICATION

ZT – 4 -2008

West Valley City

Food vending carts and vehicles

On March 18, 2008 (effective date March 24, 2008) the West Valley City Council enacted a moratorium on food vending carts. This was to allow time for City staff to investigate and examine how these uses impact the City, businesses and property owners and to review and draft applicable standards for food vending carts.

Currently the West Valley City code allows for food vending carts however very little standards apply to these uses. When the Code was first drafted most of the carts that were used were open-air carts and they were not being used year round. Therefore, a time limit was not placed on this use as it was typically self-regulating. However, the trend seems to be going more towards enclosed food carts, which can stay on a site all year round and making the use more permanent and not temporary as was originally intended.

After meeting with the West Valley City Fire Department, Building Inspection Department, Business Licensing, Code Enforcement and the Salt Lake Valley Health Department it was determined that some guidelines are necessary for this use if it is going to continue to be allowed.

Therefore, staff has drafted the attached ordinance for consideration.

Staff Alternatives:

Approval of the suggested amendments to the West Valley City Municipal Code with the following alternatives.

1. Definition

- Alternative A (vendor cannot stand or sit in any portion of the cart to conduct business)

-OR-

- Alternative B (equipment that is either manually pushed or pulled behind a vehicle)

2. Cap

- 1/10,000 residents = 12 permits

-OR-

- 1/7,000 residents = 17 carts
- OR-
- Alternative discussed at the Hearing

3. License

- Alternative A: Licenses for food vendors shall be valid from April 15-October 15 each calendar year.
- OR-
- Alternative B: Permits shall be subject to an annual business license renewal process.

4. Current licensed food vendors that can meet the requirements of the ordinance shall have the first right of refusal for licenses granted under this ordinance.

Continuance to allow staff more time to draft revisions to the proposed Ordinance

Applicant:
West Valley City

Neutral:
Russ Condie
WVC Business License

Neutral:
Ricardo Ramos
WVC Code Enforcement
English-Spanish Translator

Neutral:
Maria Santiago
4544 S. 4000 W.

Neutral:
Marti Martinez

Neutral:
Jeff Mansell
9015 S. Canyon Square

Discussion: Jody Knapp presented the application. Phil Conder asked Jody to re-iterate the problems that are being solved by this change to the ordinance. Jody explained that the health and fire departments were raising concerns because West Valley City has very little to no standards for food vending carts and mobile food vending vehicles. The City is trying to become more aesthetically pleasing and improving the food vending carts will be a positive and helpful change. She added that City departments need guidelines so that these units can properly be enforced. Phil Conder asked if this ordinance would apply to school functions that sometimes utilize hot dog vending carts. Jody stated that these events are coordinated through the school district and do not go through West Valley City. Commissioner Conder questioned the vending carts at Home Depot. Jody replied that if these vending carts are inside the building it does not qualify. She stated that she doesn't know how these carts are allowed next to the building because they do not meet Fire Department regulations. She added that they may be approved with their conditional use or something else. Russ Condie, an employee of the City's business license department, clarified that the State regulates vending carts at school's. Phil Conder asked if this ordinance is following what the State's requirements are. Jody replied that it mostly likely does meet their ordinance assuming they have the same food handling requirements and don't have a separate code like the snow cone shacks. Russ added that the State Health

Department and Salt Lake County regulate school functions and the State Fire Marshall conducts all the inspections. Commissioner Conder stated that West Valley City firefighters would respond in the event of a fire. Jason Jones asked if these regulations would apply to WestFest. Jody replied that carnivals, city center events, and outdoor concerts are addressed separately.

Marti Martinez, a vendor, stated that she understands the concerns of the City. She questioned if an interpreter was present because she feared many people in the audience were not understanding the things being said. Ms. Martinez explained that she is concerned with these changes because her livelihood depends on the success of her vending cart. She indicated that safety and health concerns are understandable and she would like to find a solution that benefits everyone.

Chairman Woodruff requested that Ricardo Ramos, a member of the code enforcement department, translate the various alternatives and changes that are being made to the ordinance. Phil Conder asked if businesses would be required to pay for a spot on the waiting list. Jody replied that an applicant would simply have to apply for the business license and once they are awarded a spot they would still need to pay the fees associated with the application process. Brent Fuller questioned whether there would be a preference on the list for those who already have an existing business. Jody explained that everyone who currently owns a food vending cart will be given the opportunity to stay, even if the number is over the cap. In this event, no waiting list will be permitted unless the number of vending carts in the city falls below the cap.

Another vendor, Maria Santiago expressed concern about the spacing requirements between carts and questioned what will happen to the ones that are already closer than the proposed 500' or 1000' minimum. Jody replied that if the site is currently approved, all current vendors will be allowed to remain. This can be added to the motion for approval. Any new vendors added to the waiting list will need to meet the spacing requirement. Ms. Santiago questioned whether the other inspections would wait to take place until the license expires. She expressed concern about the professionally made trailer and asked if existing vendors will be given the opportunity to acquire a factory built trailer. Jody stated that the Planning Commission will need to determine whether these changes are effective immediately or if there will be a gratuity period. She added that a schedule could be developed and discussed with the legal department on how to work out all these details. Jason Jones stated that the Planning Commission has the option of minimizing the carts to 6 months a year. Ms. Santiago explained that this would be a very difficult adjustment. Many vendors base their lives around these businesses and, like a restaurant, it takes time to acquire established customers. Allowing the carts to only be permitted during the summer will jeopardize this. Marti Martinez stated that no business can become solidly established after only 6 months. She stated that she has been at her location for over a year and people know that she is there everyday. She stated that she doesn't understand the

concerns regarding the time of year these carts are allowed. Jody clarified that the health department was concerned about freezing pipes and food temperature problems during the winter but since speaking with Ms. Martinez about this matter regarding food temperature problems in the summer as well, another alternative has been offered to the Planning Commission to allow vending carts all year.

Commissioner Jones asked how licensing works with these type of units. Jody explained that the licenses are tied to a specific spot on a site. Vendors are required to fill out a temporary use application that is valid for 6 months. The only requirement is that it must be 20 feet away from the building and the application must be signed and notarized by the property owner. Jack Matheson stated that he is concerned that established restaurant owners may struggle with a food vending cart too near their site. Phil Conder countered by stating that there are no spacing restrictions between restaurants. Commissioner Mills stated that established restaurants may suffer financially, especially if the a taco cart's are there year round. It would be a permanent use and not a temporary one. Commissioner Fuller stated that the Planning Commission requires more deductive reasoning on deciding the number of food vending carts allowed in the city. Jody stated that she could hold a meeting with vending cart owners to gather more ideas and get more opinions on how to solve these problems. Commissioner Conder stated that he is concerned about people being run out of business by these changes to the ordinance. He added that he doesn't mind if the vehicles are enclosed as long as they adhere to the Health and Fire Department standards. He stated allowing the carts to be permitted year round makes more sense, the 500 foot spacing requirement seems sufficient, and a cap seems necessary but it doesn't need to be so low. Commissioner Fuller stated that the cap problem needs to be resolved and the time frame to allow the current vendors to get their carts into compliance.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Fuller moved for continuance to the next public hearing on July 9, 2008

Commissioner Jones seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous - ZT-4-2008- Continued

Chairman Woodruff called for a motion to re-open the hearing.

Motion: Commissioner Conder moved to re-open the hearing

Commissioner Mills seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous - ZT-4-2008– Re-opened

Chairman Woodruff called for a motion.

Motion: Commissioner Fuller moved for continuance to the July 23, 2008 public hearing

Commissioner Jones seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous - ZT-4-2008– Continued

SUBDIVISION APPLICATION:

S-25-2007

Reunion Wood PUD – Final Plat

3639 South 5600 West

R-1-8 Zone

26 Units

4.19 Acres

BACKGROUND:

Jeff Mansell, is requesting final plat approval for the Reunion Woods PUD Subdivision. The subject property was rezoned in October 2007 from the A Zone to the R-1-8 Zone.

The project received preliminary approval from the Planning Commission in January 2008. During the rezone process, a development agreement was approved by the Planning Commission and City Council. Staff will reference the highlights of this agreement throughout the subdivision analysis.

STAFF/AGENCY COMMENTS:

Public Works:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modification to existing ditches or irrigation systems.
- Follow recommendation outlined in the soils report.
- Will need to coordinate proposed access with UDOT.
- Revisions to plat required.
- Contact Salt Lake County for approval regarding street names and subdivision name.

Building Division:

- Follow recommendations outlined in the soils report.

Utility Companies:

- Will need to coordinate utility easements for this project.

Fire Department:

- Project to meet all fire codes relating to this type of development.
- Hydrants to be shown on plat.

ISSUES:

The Reunion Woods Subdivision is a senior community consisting of 26 units on 4.19 acres. Although 26 units are mentioned, there will actually be 24 new units. Based on the Planning Commissions recommendation, the developer has eliminated one unit to provide additional open space. The project has an overall density of 6.2 units per acre which is similar to other senior projects approved in the City. The subdivision is being proposed as a planned community with private streets, and open space areas.

Access to the development will be gained from 5600 West. The developer has been coordinating access with UDOT. There are presently two existing dwellings on 5600

West that will gain access through the new development. The applicant will be responsible to coordinate this access and all new improvements with these property owners. The internal street system will be private and access to all dwellings will be through a series of limited driveways. The limited points of access from the private street will add additional landscaping and character to the subdivision.

Buildings will be comprised of 4 units. The architecture is somewhat similar to the Valley View Villas and Hunter Villas communities. The minimum dwelling size will be 1500 square feet as specified in the development agreement.

Building materials will consist of 100% masonry products. According to submitted building elevations, chosen materials will consist of stone, stucco and hardi plank. The developer is looking at two color schemes. Although the proposed colors are somewhat similar, there are enough differences to create an attractive look between buildings.

As mentioned previously, the Planning Commission and City Council reviewed and approved a development agreement for this subdivision. Staff believes that the standards outlined in this agreement will create a unique community for senior living. The development agreement states that at least 80% of the units shall have an occupant that is at least 55 years of age.

The developer has submitted a landscape and amenity plan. The developer believes that the senior environment would benefit from a paved walking path, gazebo, benches and open space areas for children and/or grandchildren to play. During the preliminary review, the Planning Commission recommended that the ideas would work here, but that the front unit be eliminated to provide a more functional area of open space.

The project site will have a small detention basin for storm water. The basin will be used for both storm water and open space needs. The depth of the basin is approximately 3 feet. However, access into the basin from the east side has been modified with a gradual slope to allow easy access. Storm water generated from this site will to be piped from the east to the west. The majority of storm water will eventually end up in 5600 West. The developer will be utilizing a storm-tech system at the northeast corner of the development to handle storm water requirements on the east side of the project. This will eliminate the need for other detention basins in the project.

The developer is proposing to fence the perimeter of this development. Senior communities that have been approved in past years have all had perimeter fencing. To create the privacy that the developer is seeking, he is proposing a 6-foot vinyl fence. Although color is not something that is generally discussed, staff would suggest using a tan color to unify the overall development.

The density proposed for this site will require the developer to participate in the TDR program. As specified in the development agreement, the applicant will need to resolve this issue as part of the subdivision process. Staff will be coordinating this matter as the

subdivision moves forward. The TDR issue will need to be completed prior to City Council review.

Per recommendations of the Planning Commission, the developer has provided illustrations of both the lighting and entry feature. These will be reviewed during the pre-meeting.

The developer has submitted a soils report. This report indicates that ground water was encountered at depths ranging from 9 to 13.5 feet. The depth of ground water will not impact sub-surface drainage systems nor units as they will be slab on grade.

STAFF ALTERNATIVES:

- A. Grant final plat approval for the Reunion Woods PUD subject to the following conditions:
1. That the subdivision be guided by the recorded development agreement.
 2. That the developer contact the Salt Lake County Auditor's Office regarding the subdivision name and all street names associated with the development.
 3. That compliance be made with the Water and Sewer District, i.e., water line extensions, connections, water rights and fire protection. The developer shall resolve all matters pertaining to these services and necessary easements prior to final plat review.
 4. That the developer coordinate all matters associated with any irrigation or open ditch systems with the City Engineering Division. The developer shall coordinate this matter with any water users as part of this condition.
 5. That the perimeter of this development be fenced with a 6-foot vinyl fence.
 6. That recommendations outlined in the soils report be followed.
 7. That the submitted landscape plan be followed. In addition to this plan, a water worksheet will also need to be submitted.
 8. That the proposed development comply with all provisions of the West Valley City Fire Department. This shall include access into and through the project.
 9. That proposed building setbacks be in accordance with the site plan reviewed as part of this application. Slight modifications can be made to this plan if needed in order to accommodate utilities or other

infrastructure. Modifications that deviate substantially from the approved site plan shall be reviewed by the Planning Commission.

10. That the lighting plan and entry feature illustration be made part of this application.
 11. That the developer work with staff to resolve the TDR issue prior to City Council review.
- B. Continue the application to address concern raised during the Planning Commission hearing.

Applicant:

Jeff Mansell
9015 S. Canyon Square

Discussion: Commissioner Matheson questioned why storm tech chambers were included in the design for the subdivision. Jeff Mansell, the applicant, stated that this idea came from West Valley City's engineering department. He added that they also required a 100 year flood retention system which he believes is more than excessive. Commissioner Matheson asked if there is any surface drainage. Mr. Mansell stated that everything is designed to go down the storm drains. Mr. Mansell added that after removing the front house that was included on the preliminary plat, he is much more satisfied with the appearance of the project with this new area becoming a park-like amenity.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Jones moved for approval subject to the 11 staff conditions

Commissioner Conder seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous - S-22-2007– Approval

S-20-2008

People Investments Subdivision

3341 West 4100 South
R-2-6.5 Zone
6 Lots

BACKGROUND

Mr. John Peoples, is requesting preliminary and final plat approval for the People Investments Subdivision. The proposed subdivision will divide and amend lots 33-35 of the Hawarden Heights No. 2 Subdivision. The purpose for the subdivision is to divide the existing duplexes into individual lots. The subdivision is bordered on the north by 4100 South and the east, south and west by existing residential development.

STAFF/AGENCY CONCERNS:

Granger Hunter Improvement District:

- Will need to evaluate water and sewer services.
- Subject to design and review inspections.

Public Works:

- Revisions to the plat will be required.
- Will need to coordinate subdivision name with County Auditor's Office.

Building Inspections:

- Will need to evaluate fire separation walls.

ISSUES:

- Mr. Peoples is proposing a 6-lot subdivision in order to divide three existing duplexes. This type of request is typically handled by a lot split application. Section 7-2-126 of the City Code allows for the division of a two family dwelling without doing a formal plat. However, because the duplexes were constructed on formally platted lots in the Hawarden Heights No. 2 Subdivision, a plat amendment is needed.
- The existing duplexes are located on lots approximately 7,100 square feet in size. Because the duplexes are set to one side of the lot, frontage and area requirements could not be met for this application. As a result of these standards, the applicant petitioned the West Valley City Board of Adjustment regarding frontage and area variances. The Board granted approvals for both the frontage and area requirements making the subdivision possible.
- Access to each duplex will be gained from 4100 South. Dedication along 4100 South and all public improvements exist including curb, gutter, and sidewalk.

Existing drive approaches are in place for all units. A notation will need to be placed on the plat identifying these areas as shared access easements to be maintained in common by the appropriate unit numbers.

- Although not required by ordinance, the applicant intends to improve these structures in order to sell them. Improvements to the landscaping, and interiors will be made as well as cosmetic improvements to the exteriors. The owner hopes that once units sell, people will take pride in ownership and maintain the property better than previous owners.
- Dividing a duplex with a property line is not necessarily unique to the City, but does involve some building modifications. The applicant is required to separate each unit with a fire wall and will need to coordinate water and sewer services for separate units with Granger Hunter Improvement District.

STAFF ALTERNATIVES:

- A. Approve the People Investments Subdivision subject to a resolution of staff and agency comments.
- B. Continue the applicant to address issues raised during the public hearing.

Applicant:

John Peoples
2667 Singletree Lane
South Jordan, UT 84095

Discussion: Steve Lehman presented the application. Jason Jones questioned who would perform maintenance on items such as the common area, carports, etc. Steve replied that the applicant, John Peoples, will need to prepare a declaration or a CC&R to establish maintenance on these types of areas. He added that the common wall is something the building inspection department will address and the driveway will likely be solved under a CC&R. Mr. Peoples stated that he is trying to do something good for the community by providing an ownership based unit for a good price.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Mills moved for approval subject to the resolution of staff and agency comments and concerns.

Commissioner Matheson seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes

Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous - S-20-2008– Approved

CONDITIONAL USE APPLICATIONS:

C-24-2008

3M Schools (Mark Alleman)

2065 W. Parkway Blvd.

M Zone (1.00 Acre)

The applicant, Mark Alleman, is requesting conditional use approval for a therapeutic boarding school. The zoning for this area is M, Manufacturing. The West Valley City General Plan anticipates general commercial, business, office and light manufacturing uses for this area. The surrounding zone is (M) Manufacturing. The surrounding uses include the UPS facility to the north, the Decker Lake Parkway to the south and office/warehouse uses on the remaining sides.

The proposal is for a residential therapeutic boarding school. The facility would be for no more than 40 clients whom would all be male, ages 13-17 years old. The school is privately funded and parents have the option of 3-12 months of enrollment. Students primarily have defiance or anger management issues, ADHD, ADD or similar learning disabilities. The center will not enroll students that are habitual runaways, have suicidal tendencies or drug addiction problems.

The school will be located within an existing building on site. The floor plan that was submitted shows 16 dorm rooms. The school will be a secured facility and all windows and doors will be locked and security cameras will be in place. An outdoor recreation area is also proposed in the rear portion of the site. The applicant is proposing a six-foot vinyl, or similar privacy fencing, for this area.

The staff on site will include a minimum of 2 direct care staff for up to 8 clients, 3 staff for up to 24 clients, and 4 staff for up to 48 clients. The staff required for sleeping hours is 2 for 48 clients per the Utah Office of Licensing. The highest employment shift would have approximately 12 employees which would include teachers, therapists, cooks etc. The clients enrolled for this program are typically from out of state and the program does not offer visiting hours outside of therapy sessions. Therefore, there would typically not be additional traffic at this center. There are currently 24 parking spaces on site, which is adequate to accommodate the staff on site. There may also be 2 transport vans on site and they will be stored in the rear fenced area.

There is landscaping on site however the streetscape does not meet the Standards for Landscaping Along High Image Arterial Streets (7-13). Therefore, staff recommends that the landscaping be enhanced to meet the Ordinance.

A dumpster has not been indicated on the plans. If one is to be located on site it shall be enclosed by a 6-foot concrete or masonry enclosure.

Lastly, signage has not been proposed with this use.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing, as well as the following conditions:

1. There shall be no more than (40) forty clients on site.
2. The landscaping shall meet the standards set forth in Title 7-13 Standards for Landscaping Along High Image Arterial Streets.
3. Must obtain a valid West Valley City Business License.
4. Must meet the requirements of other effected agencies including West Valley City Building and Fire Departments.
5. If a dumpster is located on site it must be enclosed with a six-foot tall concrete or masonry enclosure.
6. The fencing proposed for the rear yard recreation area shall be no taller than six-feet and can not contain barbed/razor wire fencing.
7. Subject to review upon valid complaint.

Continuance, for reasons determined at the hearing or to allow for the applicant to submit additional information.

Applicant:

Mark Alleman
2978 N. 250 W.
Lehi, UT 84043

Discussion: Jody Knapp presented the application. The applicant, Mark Alleman, clarified the minimum staffing requirements. Harold Woodruff commented that this is a unique business. Mr. Alleman stated that it is a large industry and there are a number of therapeutic schools in the valley. He said that the schools try to give teenagers a positive opportunity when parents are in a position where they are unable to control or help their children and need therapy and professional guidance. He added that the school's provide a complete education rather than simply using books. This includes teaching interviewing skills, job seeking abilities, trusting in themselves, and working as a team. Chairman Woodruff asked how parents discover the schools. Mr. Alleman replied that individual therapists often refer families to the program and there are also a number of associations that parents can utilize that provide them with information about the school's. Jack Matheson questioned what

the average stay period is. Mr. Alleman answered that most stay 9-12 months but it could exceed that. The application is 3-12 months and the most common cause for early withdrawal is the family struggling financially or the teenager pre-maturely telling their parents they have changed. Commissioner Matheson asked if there are any external fieldtrips. Mr. Alleman replied that the students will participate in community service, mountain recreation, library visits, and trips to the gym. He added that their goal is to diversify the thinking of these teenagers and get them involved in the community.

Commissioner Matheson questioned what would be done with the recreational area behind the building. Mr. Alleman replied that he would like to fence to the top and put in a basketball or volleyball court. Commissioner Matheson commented that this is a good location because there is nothing around the building that would create conflict or cause problems. Phil Conder asked how the applicant measures success and questioned what the success rate is. Mr. Alleman replied that success is measured by therapist reviews, daily progress reports that are monitored by parents, and schooling and team achievement's and merit's. Mr. Alleman explained that there is a 95% success rate in these schools with parents that keep their children in the program. Brent Fuller questioned if the applicant has any other therapeutic school's. Mr. Alleman replied that this will be his first but he is familiar with other school's and added that he has been in this industry for 4 years. His business partner, however, has worked at several school's. Commissioner Fuller asked if there has ever been problems with neighbors. Mr. Alleman replied that the only reported problems have mostly been in residential areas. Commissioner Fuller questioned if there is any record of damage. Mr. Alleman replied that he has never heard any reports of harm happening to the neighbors. Commissioner Fuller asked if the students are kept inside unless they are being supervised. Mr. Alleman replied that all doors are locked at all times, security cameras are used, the property will be fenced off, and for a student to exit the campus, still supervised, they must go through a trusting period. Jason Jones clarified that the children are supervised 100% of the time. Mr. Alleman replied yes. Commissioner Jones asked how the applicant found the property. Mr. Alleman replied that they looked at several different locations but found this one near the Decker Lake Juvenile Center. Commissioner Jones thanked Mr. Alleman for taking the time to find a good location.

Jack Matheson asked if the school discourages parental involvement. Mr. Alleman stated that involvement is good at times. Supervised phone calls and electronic messages are all monitored. The students will come to the school from a professional transport which helps limit the parental involvement as well as preventing interference from angry friends. Terri Mills commented that the outside recreational area does not have a lot of landscaping. The applicant replied that he has had conversations with the adjacent property owner and if the company goes out of business it may be beneficial to acquire some of that property to provide a grassy area for the students. Jody Knapp added that if the applicant decides to expand to the adjacent property it would be a conditional use amendment that the Planning Commission would review. Phil Conder questioned where the dumpster would go. Mr. Alleman replied that he hasn't looked too deeply into this yet but it would likely be on the back of the building.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Matheson moved for approval subject to the 7 staff conditions

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous - C-24-2008– Approved

C-25-2008

Utah Title Loans

3325 West 3500 South

General Commercial Zone, 0.62 acres

Staff Presentation by Hannah Thiel, Planner I

Background

Utah Title Loans is requesting a conditional use amendment for a larger monument sign. The applicant was approved for a conditional use on January 9, 2008. One condition of approval was for the Planning Commission to review and approve signs for the site. The Planning Commission approved the signs that were submitted for a building permit application. A building permit was approved for a five foot tall monument sign as well as wall signs for the site on January 14, 2008.

The sign ordinance allows one monument sign per 200 feet of frontage, but every parcel may have at least one sign. The proposed location for the sign is currently conforming to City ordinances where the sign is located eight feet from the front property line (the height of the sign is the required front setback). The sign is also proposed to be located in a landscaped area that must be twice the size of the sign area. The monument sign must also use a minimum of a one foot tall masonry base.

Planning Commission Concerns

The Planning Commission has expressed concern for allowing a larger sign in the Study Session on June 18, 2008. The concern was that as 3500 South is widening, the building will be closer to the street and less signage would be needed with the building getting closer. There was also concern with the bright colors of the sign.

Recommendations/ Staff Alternatives

- Approval subject to any issues raised at the public hearing as well as the following conditions:
 - That the sign meet all regulations for all West Valley City Codes and Departments.
 - That the approved sign use a minimum of a one foot base to meet the Sign Ordinance requirements.
 - That the approved sign be placed in landscaping that is a minimum of twice the sign area to meet the Sign Ordinance requirements.
 - That the Planning Commission reviews this application upon receipt of valid unresolved complaints.
- Continuance, for resolution of any issues that may arise at the public hearing.
- Denial of the Conditional Use Amendment

Applicant:

Robert Reach
n/a

Applicant:

Marty Spicer
119 N. Main Street
Smithfield, UT

Discussion: Hannah Thiel presented the application. Robert Reach, a representative for Utah Title Loans, stated that the changes for the sign have been approved by the landlord. Mr. Reach said that with the traffic and construction on 3500 South, the business will not be an easy location to access. He explained that the sign for the business is the most important marketing tool used to draw in customers. Jason Jones questioned what the financial rates are for the loans. Mr. Reach replied that they charge \$25 dollars for every hundred dollars received and the loan period is 30 days.

Harold Woodruff stated that it would seem more logical that as 3500 South widens, a smaller sign would be more appropriate. Marty Spicer, another representative of Utah Title Loans, stated that they are trying maintain some of their square footage and added that the company lost their pole sign in the widening. Jack Matheson stated that it seems as if the sign is only being increased by a small amount but it is actually more than doubling in size. Phil Conder agreed that he was concerned with this fact as well. Jason Jones stated that if construction on 3500 South is the problem, the larger sign should be temporary. Mr. Spicer explained that the new 3500 South will not allow access for customers to turn left into Utah Title Loans. People wanting to access the company will need to go down three blocks and turn around. Mr. Spicer indicated that this would negatively impact the business and a larger sign would help patron's locate the building without having to slow down in traffic which raises safety concerns. Phil Conder stated that the widening of 3500 South creates an opportunity to make the corridor more aesthetically pleasing. He added that allowing businesses larger signs would not help in meeting this goal and it doesn't make access any easier because customers will still need to go up three blocks and turn around regardless. Mr. Spicer stated that the ordinance allows for this sign and his company will ensure that attractive landscaping is included. Jack Matheson said that he doesn't particularly like the red and yellow color combination for the sign and enlarging this type of color scheme would seem garish. Mr. Spicer replied that the color's have not changed from what was previously approved by the Planning Commission and, by comparison, they are the same colors McDonald's uses. The purpose of the sign is to ensure that

customers see the building quickly and know exactly where it is. Mr. Spicer added that they will meet all the proper landscaping requirements, redo the parking lot, and will work in conjunction with UDOT to ensure the Utah Title Loans property will be an attractive asset to 3500 South.

Hannah explained that the setback must be the same height of the sign and the applicant does not meet this requirement. She added that the ordinance does allow for bonus sign area for signs taller than 10 feet but this sign is not taller than 10 feet tall and that as the sign is part of a conditional use, the Planning Commission has the authority to approve a sign that may be more restrictive than what the ordinance allows. Terri Mills stated that the sign is clearly visible as it is.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Mills moved for denial

Commissioner Conder seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous - C-25-2008– Denied

PLANNING COMMISSION BUSINESS

Approval of minutes from June 4, 2008 (Study Session) **Approved**

Approval of minutes from June 11, 2008 (Regular Meeting) **Approved**

There being no further business, the meeting adjourned at 6:15 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant